

**BOROUGH OF ROCKY HILL
COUNCIL MINUTES
FEBRUARY 7, 2005**

The regular meeting of the Borough Council of the Borough of Rocky Hill was called to order by Mayor Brian Nolan at 7:30 PM. LCPL Bill Moore led the Pledge of Allegiance to the Flag followed by a moment of silent meditation. Mayor Nolan stated that the meeting has been properly advertised in the December 31, 2004, issue of the Somerset Spectator and is being held in accordance with the Open Public Meetings Act.

Roll Call: Mr. Richard Batchelder-present, Ms. Connie Hallman-present,
Mr. George Morren-present, Mr. Jared Witt-present, Mr. Edward Zimmerman-present.
Absent: Ms. Peggy Harris

Borough Clerk Raymond Whitlock Jr. and Borough Attorney Albert Cruz were also present.

APPROVAL OF MINUTES

Motion to approve the minutes of the regular meeting of January 18, 2005, was made by Morren with a second by Hallman noting correction of minor typographical errors. Roll call: Batchelder-aye, Hallman-aye, Morren-aye, Witt-aye, Zimmerman-aye.

Motion to approve the executive session minutes of January 18, 2005, was made by Batchelder with a second by Morren. Roll call: Batchelder-aye, Hallman-aye, Morren-aye, Witt-aye, Zimmerman-aye.

PUBLIC COMMENTS

LCPL Moore thanked everyone for the food, letters, and support received during his tour in Iraq. Mayor and Council welcomed LCPL Moore back and extended their gratitude in return for his service.

ENGINEER'S REPORT

Engineer Tanner was unable to attend the meeting. Report dated February 2, 2005, was received and will be discussed at the next meeting.

TRANSFERS IN THE 2004 MUNICIPAL BUDGET

Mr. Batchelder read the following transfers in the 2004 municipal budget. Motion to approve was made by Hallman with a second by Morren. Roll call: Batchelder-aye, Hallman-aye, Morren-aye, Witt-aye, Zimmerman-aye.

To account #1116 Insurance Lib. \$7143.00
To account #1121 Engineering Exp. \$1178.00
To account #1124 Planning Exp. \$3414.00
To account #1136 Sanitation Garbage \$ 132.00
To account #1137 SBB Police Exp. \$2608.00
To account #1139 Sanitation Recycling \$ 350.00
From account #1133 Strs. & Roads \$9485.00
From account #1122 Bldg. & Grds. \$3300.00
From account #1111 Mayor Council Exp. \$ 750.00
From account #1110 Collection Exp. \$ 400.00
From account #1107 Assess Tax Map \$ 500.00
From account #1501 Telephone Exp. \$ 200.00
From account #1502 Electric Exp. \$ 190.00

BILL LIST

RESOLUTION

WHEREAS, the Treasurer has certified that sufficient funds are available to pay said vouchers,

BE IT, THEREFORE, RESOLVED, that the following vouchers be approved for payment.

Motion to approve the resolution was made by Batchelder with a second by Hallman. Roll call: Batchelder-aye, Hallman-aye, Morren-aye, Witt-aye, Zimmerman-aye. (See Appendix 1 for Bill List)

COMMITTEE REPORTS

Administration & Records – Mr. Witt advised he is currently reviewing the code book and will be meeting with Ms. Hallman for further review.

Buildings & Grounds – Mr. Zimmerman had nothing to report at this time.

Finance & Insurance – Mr. Batchelder reported the Tax Collector's report for January 2005 has been distributed. A budget workshop has been held, and he will provide the budget numbers to Mayor Nolan for distribution and review at the next meeting. It is anticipated that the budget will be introduced in March.

Public Safety & Emergency Services – Mr. Morren advised that the Constables have reported that the residents' response to the January snowstorm was excellent with minor exceptions. The accounting of Court proceeds for the month of January has not been received to date. Mayor Nolan requested that Mr. Morren notify the State Police that Judge Ross will be conducting an inspection.

Streets & Roads – Mr. Batchelder was requested to notify Council on behalf of Ms. Harris that any problems with pot holes be directed to her.

Water, Sewer & Environmental Protection – The January utility report dated February 2, 2005, from Superintendent Larry Merk was read by Ms. Hallman (copy of report on file with Clerk's Office).

Council Representative to the Planning Board – Planning Board meeting scheduled for tomorrow evening.

Council Representative to Board of Health – Ms. Hallman reported the first meeting is scheduled for February 9, 2005.

Zoning Official – Nothing presented at this time.

SPECIAL BUSINESS

Review Bids for new Ambulance/Award Contract – Clerk Whitlock advised that one bid was received and is currently being reviewed by Engineer Tanner. Attorney Cruz will contact Engineer Tanner for additional review of same. Johanna Snedeker, representative of the Rescue Squad, appeared and advised that the squad is pleased with the bid offer (approx. \$129,800). Further action held over to next meeting.

General Ledger/Tax Collection Software – Mr. Batchelder provided Mayor and Council with an overview of the quote received from Municipal Software for the possible purchase/lease of general ledger, tax collection, and utility billing software. Mr. Batchelder met with Borough Auditor Bob Morrison, CFO Ross Bobal, Tax Collector Donna Griffiths, and a representative of Municipal Software to review the software programs. All present were pleased with the software programs available, and it was agreed that purchase of all three of the programs would address the recommendations outlined in the annual audits of the Borough thus alleviating further criticism in the audit. Mr. Batchelder provided his recommendation for the lease to buy option. The programs would be set up retroactive to January 1, 2005. In response to Council's questioning, Mr. Batchelder advised the Borough would own the programs after the 36 month lease is done; the vendor has offered a small town discount in addition to the software being offered under State contract, State mandated upgrades would be

included in the customer support agreement, and Tax Collector Griffiths utilizes the tax program in another municipality and recommends the purchase of same. Motion to purchase the software programs based on the 36 month lease option was made by Batchelder with a second by Morren contingent upon the review of the form of contract by Attorney Cruz. Roll call: Batchelder-aye, Hallman-aye, Morren-aye, Witt-aye, Zimmerman-aye.

Vacating of Skillman Avenue – Clifford Moore, resident of Skillman Ave., appeared before Mayor and Council. Mr. Moore provided an overview of the vacating of Skillman Ave. by the Borough approximately 20 years ago. Mr. Moore continues to experience problems with road maintenance, waste removal, and address identification of his home. Mr. Moore is requesting Mayor and Council's consideration of providing maintenance (plowing, repairing of ruts, etc.) of the road and possibly providing parking for the adjoining Green Acres property. It was the consensus that further research of the situation needs to be done. Mr. Moore was requested to provide a copy of his deed and survey map to Clerk Whitlock who would forward same to Engineer Tanner for review.

ORDINANCE #2, 2005 – Borough Fees for Copies of Public Documents – An ordinance outlining the fees to be charged for copies of public documents was drafted by Attorney Cruz. No action was taken at this time.

RESOLUTION

EXTENSION OF INTERLOCAL SERVICE AGREEMENT BETWEEN THE BOROUGH OF ROCKY HILL AND BOROUGH OF SOUTH BOUND BROOK

Motion to approve this resolution (Appendix #2 attached) extending the interlocal agreement for police services for 30 days while the parties finalize a new service agreement was made by Morren with a second by Zimmerman. Roll call: Batchelder-aye, Hallman-aye, Morren-aye, Witt-aye, Zimmerman-aye. A letter will be sent to the Mayor of South Bound Brook from Mayor Nolan acknowledging the adoption of said resolution and notice that the Borough of Rocky Hill will act on the revised contract at the February 22, 2005, meeting.

COMMUNICATIONS

Communications were discussed and ordered filed. Mayor Nolan presented communications which were discussed and disseminated to the appropriate Committee representatives for disposition.

UNFINISHED BUSINESS

None at this time.

NEW BUSINESS

Mayor Nolan advised of his recent e-mail to all staff and professionals regarding a recognition dinner being held for former Borough Attorney John Rankin. Ms. Harris will be assisting Mayor Nolan with the event.

PUBLIC COMMENT

Mark Germain, resident of Washington St., addressed Mr. Batchelder with regard to the Municipal Software programs. Mr. Batchelder addressed his concerns regarding the hardware, firewall issues, and database extendability.

Cliff Moore questioned if the State started pumping at their superfund well site. Mayor Nolan advised that they have not to his knowledge, and a meeting is to be scheduled.

Hearing no other comments/questions, the floor was closed to the public.

EXECUTIVE SESSION

Motion to hold an executive session to discuss matters of litigation, “Constantine v. Rocky Hill Borough” was made by Hallman with a second by Morren. Motion carried on roll call vote – all ayes.

RESULTS OF EXECUTIVE SESSION

Motion to return to public session was made by Hallman with a second by Morren. Motion carried on roll call vote – all ayes.

It was the consensus of Mayor and Council to direct Attorney Cruz to have the Borough of Rocky Hill represented by Class Counsel in the class action suit.

ADJOURNMENT:

Motion to adjourn the meeting at 9:20 PM was made by Batchelder with a second by Morren. Motion carried on voice vote – all ayes.

Respectfully submitted:

Donna M. Griffiths
Deputy Clerk



APPROVED FOR RELEASE TO OPEN SESSION 12/17/07

Borough of Rocky Hill
New Jersey

Mayor
Brian A. Nolan

Council President
George E. B. Morren

Council Members
Richard D. Batchelder
Connie Hallman
Peggy Harris
George E. B. Morren
Jared M. Witt
Edward P. Zimmerman

Chief Financial Officer - Treasurer
G. Ross Bobal

Tax Collector
Donna Griffiths

Assessor
George Sopko

Engineer
Neil I. Van Cleef

Borough Magistrate
Eric Perkins

Borough Clerk
Raymond E. Whitlock, Jr.

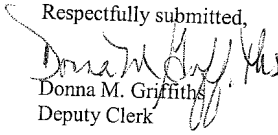
Borough Attorney
Albert Cruz

Prosecutor
Raymond J. Stine

BOROUGH OF ROCKY HILL
COUNCIL MINUTES
EXECUTIVE SESSION - FEBRUARY 7, 2005

Attorney Cruz addressed Mayor and Council regarding the class action suit filed as per "Constantine v. Borough of Rocky Hill". The basis of the suit challenges the possible violation of the OPRA requirements by the Borough of Rocky Hill for charges imposed for copies of discovery provided through the Municipal Court of the Borough.

Respectfully submitted,


Donna M. Griffiths
Deputy Clerk

All bills and communications should be sent to
Raymond E. Whitlock, Jr. - Borough Clerk
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Tel (609) 924-7445
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